

**ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY COMMITTEE  
of the  
SUFFOLK COUNTY LEGISLATURE**

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**Minutes**

A regular meeting of the Economic Development, Higher Education & Energy Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Wednesday, **April 7, 2004.**

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**MEMBERS PRESENT:**

Legislator Lynne Nowick - Chairman  
Legislator Angie Carpenter - Vice-Chair  
Legislator Brian Foley  
Legislator Jon Cooper  
Legislator Jay Schneiderman

**MEMBER NOT PRESENT:**

Legislator Vivian Vilorio-Fisher

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**ALSO IN ATTENDANCE:**

Mea Knapp - Counsel to the Legislature  
Joe Schroeder - BRO  
Kevin Duffy - BRO  
Ben Zwirn - County Executive's Office  
Charles Stein - Suffolk Community College  
Roger Podd - County Executive's Office  
Elizabeth Harrington - Deputy County Attorney  
Ilona Julius - Deputy Clerk SC Legislature  
All other interested parties

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**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

**(\* THE MEETING WAS CALLED TO ORDER AT 9:40 A.M. \*)**

**CHAIRPERSON NOWICK:**

Good morning, everybody. Let's salute the Flag. Legislator Schneiderman, lead us in the salute to the Flag.

**SALUTATION**

**CHAIRPERSON NOWICK:**

Good morning and welcome to Economic Development, Higher Education and Energy. This morning we have no speakers, but, Chuck, did you want to come up and or did you want to wait until the resolution --

**MR. STEIN:**

I'll wait for the resolution.

**CHAIRPERSON NOWICK:**

I believe Liz Harrington wanted to come up and address the committee. Did you want to speak now or wait for the resolution.

**MS. HARRINGTON:**

Wait for the resolution.

**LEG. NOWICK:**

Well, this is going to be easy, because now we can go onto the agenda.

**INTRODUCTORY RESOLUTIONS**

**1204-04. Appointing Charles L. Lauer to the Suffolk County Community College Board**

**of Trustees. (FOLEY)****LEG. FOLEY:**

Motion to table, Madam Chair. This particular very worthy candidate is currently a member of the Farmingdale University -- College rather Board of Trustees, and he has withdrawn his name. But since it's a resolution for a trustees position at the Community College, I just would like to have it tabled at this point in time. He has withdrawn his name, but at this point I'm not withdrawing the resolution. So I would ask for a tabling motion.

**CHAIRPERSON NOWICK:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I'm confused as to why you would not withdraw the resolution --

**LEG. FOLEY:**

It's a good question. It's a good question.

**LEG. SCHNEIDERMAN:**

-- when the person has withdrawn their name rather than muddy the waters with a resolution floating to appoint this gentleman.

**LEG. FOLEY:**

It's a good question. The resolution is not a resolution about a person, it's a resolution about an institution. That being the case, one could -- the sponsor could insert a different name to the resolution in the future. So that's why I'm asking it be tabled.

**LEG. SCHNEIDERMAN:**

Could you not do this regardless of whether this gets withdrawn? You could always reintroduce it.

**LEG. FOLEY:**

Well, the problem is if it's withdrawn, then -- if the resolution itself is withdrawn, then I would have to resubmit a new resolution come next Wednesday. I mean, that conceivably could be done. This is just another approach. I'll leave it to the will of the committee, but I would ask

that it be tabled.

**CHAIRPERSON NOWICK:**

I have a motion to table.

**LEG. COOPER:**

I'll second that motion.

**CHAIRPERSON NOWICK:**

All in favor? Opposed?

**LEG. SCHNEIDERMAN:**

Opposed.

**CHAIRPERSON NOWICK:**

Opposed.

**LEG. CARPENTER:**

Opposed.

**LEG. O'LEARY:**

Opposed.

**CHAIRPERSON NOWICK:**

Opposed, O'Leary, Schneiderman, Nowick, Carpenter. Motion fails.

**LEG. FOLEY:**

Motion to table fails, in other words. Thank you very much.

**LEG. CARPENTER:**

I would support a motion to table subject to call, because I think that more reflects the fact that the gentleman has withdrawn his name, and it really is a disappointment that he has. He is quite a distinguished educator who has served at the Community College. But I think maybe a motion to table subject to call would more reflect the fact that this is a moot point since he has withdrawn his name.

**LEG. O'LEARY:**

I'll second that motion.

**CHAIRPERSON NOWICK:**

Motion to table subject to call by Legislator Carpenter, seconded by Legislator O'Leary.

**LEG. SCHNEIDERMAN:**

Can that just be explained as to --

**LEG. FOLEY:**

It's off the agenda. It's off the agenda, but it could be at some future time brought back if, in fact, there is a different name. So it's a more eloquent way of doing it, and I thank Legislator Carpenter for that suggestion.

**CHAIRPERSON NOWICK:**

All in favor? Opposed. Motion carries. **TABLED SUBJECT TO CALL. (VOTE:6-0-0-1) (Not present; Legis. Viloria-Fisher)**

**1283-04. Establishing Suffolk County @ Work Commission. (CARPENTER).**

**CHAIRPERSON NOWICK:**

Do I have a motion?

**LEG. CARPENTER:**

I'll make a motion to approve. And I just would like to note for the record that a representative from the County Attorney's office spoke with me this morning. The County Attorney had an issue with the fact that the budget that was put in the resolution, as we do with every resolution we've every done when there's been some sort of task force, did not specifically identify where the money was coming from. It is a Legislative resolution, a Legislative task force, and if would come from the Legislature's budget. And I would just ask Counsel, is there any real necessity for making that notation on where that money is coming from or maybe Budget Review?

**MS. KNAPP:**

I would say not. I think it's presumed to come from the Legislative budget. And as I

commented earlier, it's the way that we in the Legislature have done these resolutions over the past at least, I guess, 12 years that I've been with the County.

**LEG. CARPENTER:**

Budget Review, I would ask you too, is there a problem if it doesn't specifically say where it's coming from in the resolution?

**MR. SCHROEDER:**

Legislator Carpenter, I can't answer that. I can get back to you with an answer.

**LEG. CARPENTER:**

Well, the deadline to make any changes, if that really is necessary, I wouldn't want to cause a problem for the resolution when it gets across the street, you know, we can make that change, although it was not raised with another resolution passed yesterday. And the other issue was a deadline for when the report is. And I would just ask Counsel to note that the report is due before the end of year each and every year. So with those changes, I'm going to make a motion to approve.

**LEG. FOLEY:**

Just on the motion, Madam Chair.

**CHAIRPERSON NOWICK:**

Yes.

**LEG. FOLEY:**

Thank you. Is there -- is this a similar commission to what's already been on board for years, I think it's called the W.I.B. or W.A.B., there's a -- there's a worker's board currently?

**LEG. CARPENTER:**

No, not at all.

**LEG. FOLEY:**

What's the board I'm thinking of? It's a --

**LEG. CARPENTER:**

Are you thinking of SWBEC?

**LEG. FOLEY:**

No. No. If someone from the administration could help.

**MR. GATTA:**

Workforce Investment Board.

**LEG. FOLEY:**

The workforce investment -- the WIB, the Workforce Investment Board, which has a --

**LEG. CARPENTER:**

No. It's not at all similar. If you want to ask, Madam Chair, if maybe Mr. Gatta would come forward, because I know in his previous role as Economic Development guru for the Executive Branch, he could probably answer that better than I.

**CHAIRPERSON NOWICK:**

Mr. Gatta.

**LEG. FOLEY:**

Well, there's the worker -- I would want him -- to ask him to make a comparison between the two since he'd be working out of title in that particular -- answering that particular question. But let me just ask this of the sponsor of the bill, I don't have the bill in front of me, could you just run through the reasons for it and in light of the fact that there are some other boards and --  
- investment boards.

**LEG. CARPENTER:**

I know that on the state level, they are doing a New York State At Work Initiative and trying to get all of the players on the same page. All those that are involved with economic development, and that precisely is what this is looking to do, making sure there are no replications of initiatives that they are working in concert and, you know, basically that's what it's all about. And really making sure that government is there to aid our business community and be a help and not a hindrance.

**LEG. FOLEY:**

Are there other counties creating similar commissions or this is something that --

**LEG. CARPENTER:**

Not yet. I'm sure they are going to do it whenever they see this happening. I don't mean to be flip, but no. Actually, the idea came from the fact that the state is looking at doing this initiative even though we can't direct the state to participate, part of the whereases is directing that the Commission do look to interact with the state. In fact, when I had mentioned this at a business meeting, I had someone from New York State approach me and give me a card and ask that I pass it along to the commission, because they too wanted to participate.

**LEG. FOLEY:**

If I just may follow up on that for a moment. It was mentioned that the New York State Assembly is proposing to create this. Is there a companion bill in the State Senate? Is there a need for state legislation in order to create the commission locally or can we do it independently?

**LEG. CARPENTER:**

Absolutely not. There's no need at all for the state to create legislation.

**LEG. FOLEY:**

It's mentioned in the --

**LEG. CARPENTER:**

Well, it's just mentioning that there is this kind of initiative happening in the state, but it doesn't mean that we need state legislation to --

**LEG. FOLEY:**

I'm not saying that -- I'm just asking whether or not there was state legislation, because you mentioned that in the resolution. Has there been any contact with the Department of Economic Development about the resolution?

**LEG. CARPENTER:**

Actually, there hasn't been a commissioner in place for the department, so no.



**LEG. FOLEY:**

No one else in the department who is -- Madam Chair, anyone from the administration.

**LEG. CARPENTER:**

I don't see anyone here from the Office of Economic Development, is there? I see Mr. Zwirn is here from the administration, but I don't see anyone from the department.

**LEG. FOLEY:**

And just a final question, Madam Chair. The makeup of the commission, how did the sponsor go about creating or deciding it would be these 11 particular positions?

**LEG. CARPENTER:**

Is an explanation really necessary on how I decided?

**LEG. FOLEY:**

I'm just saying, are there -- for instance, we had ATVs -- this is how I'll ask the question. We had -- there was an initial resolution for ATVs, and one of the constructive criticisms made of the resolution was the fact that it was too -- it wasn't broad enough in its scope of representation on the commission or on the task force. So I'm asking the question. It's not an argumentative question. I'm just asking how -- why these 11 as opposed to perhaps more from some other walks of life.

**LEG. CARPENTER:**

Well, I just, having been a former business owner and working very cooperatively with the business community over the years, felt that these were the key players. Certainly as this progresses, if there needs to be an expansion of who serves on the task force, we can amend it. I certainly would not be precluded from seeing that done. I felt that the Community College should be a partner. They certainly have demonstrated under the leadership of our new president Dr. Pippins, have demonstrated a clear commitment to work force development. You know, one of her first acts being -- creating the position of vice president of work force development. And I think trying to intergrate the Community College more with the business community at every opportunity will own serve us well and ultimately serve the business community, not just here in Suffolk County, but on all of Long Island.

**CHAIRPERSON NOWICK:**

In looking at the resolution, it seems to be a varied group of people that would be on the commission, certainly representative of ever different work force group. So I would be in favor of this, and I would second your motion.

**LEG. CARPENTER:**

Thank you.

**CHAIRPERSON NOWICK:**

All in favor?

**LEG. FOLEY:**

Madam Chair, I'll be supporting the resolution today. However, I do want to -- I would like either in writing or in person hear from the County Executive's -- from the Department of Economic Development for their -- for their -- I won't position, but certainly their opinion on the resolution.

**CHAIRPERSON NOWICK:**

It is not protocol for Economic Development to be presented at these meetings?

**LEG. FOLEY:**

They should be here, absolutely.

**CHAIRPERSON NOWICK:**

I know there's not a commissioner, but there should be a deputy or somebody should be here. This is after all economic development. I see the college is here.

**LEG. FOLEY:**

I would like to hear from the department.

**CHAIRPERSON NOWICK:**

So there's a motion by Legislator Carpenter, seconded by myself. All in favor? Opposed? Motion IR 1283 has been **APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Vilorio-Fisher)**

IR 1287 has been withdrawn.

**1289-04 Amending prior capital authorized appropriations for the Sagtikos Theater renovation construction. (COUNTY EXEC)**

**CHAIRPERSON NOWICK:**

Motion?

**LEG. FOLEY:**

Motion. Perhaps we should have the -- have the -- through Madam Chair, have the representatives of the college here to explain the amendment. It's rather straight forward, but just for the record.

**MR. STEIN:**

Good morning. Last meeting we mentioned that these resolution were coming, 1289, 1290 and 1291. These are resolutions that will not increase any expenditure, but rather transfer authorization to the project that will allow us to place more parking at the Grant Campus, and it's moving authorizations from two projects over to that one so that we can complete the construction of the parking.

**CHAIRPERSON NOWICK:**

So there's no impact; is that right, Budget Review? Motion.

**LEG. FOLEY:**

Motion.

**LEG. CARPENTER:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator Foley, seconded by Legislator Carpenter. All in favor? Opposed? IR 1289 has been **APPROVED. (VOTE:6-0-0-1).**

**(Not present; Legis. Vloria-Fisher).**

**1290-04. Amending prior capital authorized appropriations for cooling tower replacement design and cooling tower replacement construction. (COUNTY EXEC)**

**LEG. CARPENTER:**

Motion.

**LEG. O'LEARY:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator Carpenter, seconded by Legislator Schneiderman. All in favor? Opposed?  
IR 1290 has been **APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher).**

**1291-04. Amending the 2004 Capital budget and Program and appropriating funds in connection with West Campus site improvement site work. (COUNTY EXEC)**

**LEG. CARPENTER:**

Motion.

**LEG. SCHNEIDERMAN:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator Carpenter, seconded by Legislator Schneiderman.

**LEG. CARPENTER:**

On the motion. If I could just ask if you know any of the specifics on what this is?

**MR. STEIN:**

As I mentioned, these three were all connected, and the --

**LEG. CARPENTER:**

No. As far as the Western Campus.

**MR. STEIN:**

That's the parking -- this is to actually do the parking work at the Health, Sports and Education

Center.

**LEG. CARPENTER:**

Great. Thank you.

**CHAIRPERSON NOWICK:**

IR 1291 has been **APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher).**

**1347-04. Appointing Edna M. Gerrard to the Suffolk County Community College Board of Trustees. (PRESIDING OFFICER)**

**LEG. CARPENTER:**

I would like to make that motion. I know it passed out of committee unanimously last time. In fact, I'm disappointed that Legislator Viloría-Fisher isn't here because she spoke so eloquently about Ms. Gerrard.

**CHAIRPERSON NOWICK:**

And Ms. Gerrard was here last time, we were given her resume. I will second that.

**LEG. FOLEY:**

Motion to table.

**LEG. COOPER:**

Second the motion.

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Foley, seconded by Legislator Cooper. All in favor? Opposed?

**LEG. SCHNEIDERMAN:**

Opposed.

**LEG. O'LEARY:**

Opposed.

**CHAIRPERSON NOWICK:**

Opposed.

**LEG. CARPENTER:**

Opposed.

**CHAIRPERSON NOWICK:**

Motion fails. We have a motion on IR 1347, motion by Legislator Carpenter, seconded by myself. All in favor? Opposed?

**LEG. FOLEY:**

Abstain.

**LEG. COOPER:**

Abstain.

**CHAIRPERSON NOWICK:**

Motion has been **APPROVED. (VOTE:4-0-2-1) (Abstentions; Legis. Foley and Cooper) (Not present; Legis. Viloría-Fisher) .**

## **TABLED RESOLUTIONS**

**1091-04. To streamline and consolidate County government by eliminating separate County Department of Aviation. (COUNTY EXEC)**

**LEG. SCHNEIDERMAN:**

Motion to table.

**LEG. FOLEY:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator Schneiderman, seconded by Legislator Foley. All in favor? Opposed?

Motion carried. **TABLED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher).**

**1187-04. Directing the County Comptroller to conduct an audit of the Suffolk County**

**Industrial Development Agency (IDA). (NOWICK)**

**CHAIRPERSON NOWICK:**

I'm going to table that.

**LEG. CARPENTER:**

Second.

**CHAIRPERSON NOWICK:**

Seconded by Legislator Carpenter. Motion to table approved. **TABLED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher)**

**CHAIRPERSON NOWICK:**

The next three have been withdrawn; IR 1217, IR 1219, IR 1220. Just to put on the record for IR 1187, I am working with the Comptroller and the IDA, and we are ironing out a few different issues on that and discussing the matter.

**LEG. FOLEY:**

Madam Chair, I hope at some point we'll be able to approve your resolution. I think it's well worth the effort, and it's I think long past time that there be a comprehensive review of the Industrial Development Agency.

**LEG. NOWICK:**

That's what we are working on.

**LEG. FOLEY:**

Very good.

**LEG. SCHNEIDERMAN:**

Let me go on the record too as to the tabling of 1091. This actual resolution has been amend from the original. I have copies of it. I still would like to work on the wording. The amendment came from the County Executive's Office, and I'm not quite comfortable with it. I'd like a little bit more time.

**CHAIRPERSON NOWICK::**

It was tabled.

## **SENSE RESOLUTIONS**

**18-04. Memorializing resolution in support of state legislation to amend the composition of the Long Island Power Authority Board. (COOPER)**

**CHAIRPERSON NOWICK:**

Motion?

**LEG. COOPER:**

Motion to approve.

**LEG. CARPENTER:**

Explanation.

**CHAIRPERSON NOWICK:**

Explanation, please.

**LEG. FOLEY:**

Second for the purposes of discussion.

**LEG. COOPER:**

This sense resolution supports legislation introduced in both the New York State Senate and the New York State Assembly that would amend the composition of the LIPA Board to provide equal balance between Suffolk representatives and Nassau representatives. Currently there are many more representatives from Nassau County. And historically, Suffolk County had been underrepresented, and this would seek to remedy that.

**LEG. CARPENTER:**

Also one representative from Queens, I see.

**LEG. COOPER:**

Correct.



**LEG. FOLEY:**

I think we have a greater population now if Suffolk, correct?

**LEG. COOPER:**

Yes, we do.

**LEG. FOLEY:**

So it's not just a geographic issue, but also one of population.

**CHAIRPERSON NOWICK:**

Legislative Counsel.

**MS. KNAPP:**

It further supports LIPA having their meetings alternatively in Nassau and sufficient, which I think is it an important part of it. Now, all LIPA meetings seem to take place in Uniondale, which is inaccessible for many of our citizens. And it further goes on to take about if they seek a new lease, that they would endeavor to seek more accessible space. Those are both important points.

**LEG. COOPER:**

Thank you.

**LEG. FOLEY:**

There may be room at the Dennison Building as a matter of fact.

**CHAIRPERSON NOWICK:**

Legislator Cooper, that shows why you are such a powerful person on Long Island. What is the number?

**LEG. COOPER:**

I'm up to number 30 now, thank you.

**CHAIRPERSON NOWICK:**

So we have a motion to approve by Legislator Cooper, seconded by Legislator Foley. All in favor? Opposed? Motion carries. **APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher).**

**19-04. Memorializing resolution supporting New York State Legislation that would provide oversight for the Long Island Power authority. (COOPER)**

**CHAIRPERSON NOWICK:**

Motion?

**LEG. COOPER:**

Motion to approve.

**LEG. FOLEY:**

Second.

**CHAIRPERSON NOWICK:**

Seconded by Legislator Foley. Could we have an explanation?

**LEG. COOPER:**

Through the Chair, I think i'll defer to Legislative Counsel. She can explain the details of this resolution.

**MS. KNAPP:**

The Assembly bill seeks to create an oversight panel that would carry out a general review of LIPA's activities. And I think that the impetus for this is that LIPA is not subject to the Public Service Commission, and this would be a something of a substitute that would allow a review of what LIPA's doing.

**CHAIRPERSON NOWICK:**

All in favor? Opposed? **APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher).**

**20-04. Memorializing resolution in support of raising the minimum wage in New York. (COOPER)**

**CHAIRPERSON NOWICK:**

Motion?

**LEG. CARPENTER:**

The other evening at a meeting someone -- I think it was Assemblyman Raia, I could have sworn he said it was passed.

**LEG. FOLEY:**

It may have passed one House, but I don't think it passed both. Plus, I think it's important for us as a Legislature, I believe, it's what we've done in the past with living wage legislation as well as prevailing wage legislation that we go on record supporting a state wide bill that will positively affect residents in our County. I'd like to go on as a cosponsor, please.

**LEG. NOWICK:**

Place whole committee as cosponsor. So we have a motion and a second? All those in favor? Opposed? **APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher)**

**22-04. Memorializing resolution requesting the Long Island Power Authority approve the Kings Park energy Project. (LINDSAY)**

**CHAIRPERSON NOWICK:**

The sponsor has contacted me and would like this tabled. Motion to table by myself, seconded by Legislator Carpenter. All in favor? Opposed? **TABLED (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher).**

**23-04. Memorializing resolution requesting the Long Island Power Authority to select the North Bellport Energy Center as the location for the new power project. (O'LEARY)**

**LEG. O'LEARY:**

Motion.

**LEG. CARPENTER:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator O'Leary, seconded by Legislator Carpenter. All in favor? Opposed?

**APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher).**

**24-04. Memorializing resolution requesting New York State Legislature enact Long Island Workforce Housing incentive Program. (SCHNEIDERMAN)**

**CHAIRPERSON NOWICK:**

Do I have a motion?

**LEG. SCHNEIDERMAN:**

Motion.

**LEG. COOPER:**

Second the motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Schneiderman, seconded by Legislator Cooper.

**LEG. CARPENTER:**

Cosponsor.

**CHAIRPERSON NOWICK:**

Cosponsor also.

**LEG. COOPER:**

Myself as well.

**CHAIRPERSON NOWICK:**

Okay. So that motion is carried. **APPROVED. (VOTE:6-0-0-1) (Not present; Legis. Viloría-Fisher)**

After this long gruelling meeting, do I have a motion to close?

**LEG. O'LEARY:**

Motion to close.

**CHAIRPERSON NOWICK:**

I'm going to make a motion to place on the Consent Calender IR 1289, IR 1290, IR 1291.

**LEG. CARPENTER:**

Second.

**CHAIRPERSON NOWICK:**

Seconded by Legislator Carpenter. All in favor? **APPROVED. CONSENT CALENDER 1289, 1290.**

**CHAIRPERSON NOWICK:**

Motion to adjourn.

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

Second by Legislator Cooper.

**(\* THE MEETING WAS ADJOURNED AT 10:07 A.M.\*)**

**{ } DENOTES BEING SPELLED PHONETICALLY**